

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

**SAN JOSE DIVISION**

107 AUG 8 P 2:46  
RICHARD W. WIEKING  
CLERK  
U.S. DISTRICT COURT  
NO. DIST. OF CA. S.J.

SEALED BY ORDER  
OF THE COURT

**THE UNITED STATES OF AMERICA**

**vs.**

**SAUL MAXIAS NIETO**

**INDICTMENT**

Count One: Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(viii) - Distribution of Methamphetamine

*A true bill.*

  
**Foreperson**

*Filed in open court this* 8 *day of* Aug.

*A.D. 2007*

  
**UNITED STATES MAGISTRATE JUDGE**

*Bail. \$* no bail arrest warrant

DOCUMENT NO.	CSA'S INITIALS
<u>1e</u>	
DISTRICT COURT CRIMINAL CASE PROCESSING	

SCOTT N. SCHOOLS (SCBN 9990)  
United States Attorney

FILED

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SEAL BY ORDER  
OF THE COURT

RICHARD W. WIEKING  
CLERK  
U.S. DISTRICT COURT  
NO. DIST. OF CA. S.J.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

SAUL MAXIAS NIETO,

Defendant.

CR 07 00526 JW

No.

VIOLATION: 21 U.S.C. § 841(a)(1) –  
Distribution of Methamphetamine RS

SAN JOSE VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B)(viii))

On or about April 10, 2007, in the Northern District of California, the defendant,

SAUL MAXIAS NIETO,

did knowingly and intentionally distribute a controlled substance, to wit, 5 grams and more of

//

//

//

INDICTMENT

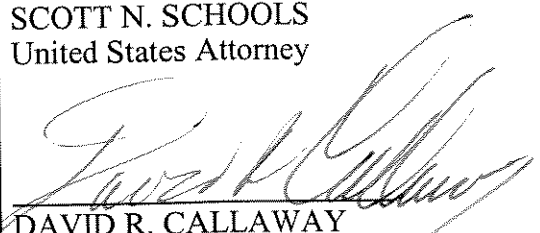
methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(viii).


A TRUE BILL.

DATED: August 8, 2007

  
FOREPERSON

SCOTT N. SCHOOLS  
United States Attorney

  
DAVID R. CALLAWAY  
Deputy Chief, San Jose Office

(Approved as to form: )  
AUSA O'Connell

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING
**OFFENSE CHARGED**

SEE ATTACHMENT TO PENALTY SHEET

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 RICHARD W. WIEKING  
 CLERK  
 U.S. DISTRICT COURT  
 NO. DIST. OF CA. S.J.

PENALTY:

SEE ATTACHMENT TO PENALTY SHEET

☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

 Name of District Court, and/or Judge/Magistrate Location  
 NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

SAUL MAXIAS NIETO

DISTRICT COURT NUMBER

07 00526 JW

**DEFENDANT****IS NOT IN CUSTODY**

- 1) ☒ Has not been arrested, pending outcome this proceeding.  
 If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4) ☐ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges
- If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No } If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency &amp; Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**
☐ SUMMONS ☐ NO PROCESS\* ☒ WARRANT Bail Amount: NO BAIL

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

\*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: \_\_\_\_\_

Before Judge: \_\_\_\_\_

Comments:

**PROCEEDING**

Name of Complainant Agency, or Person (&amp;Title, if any)

S/A Robert Patrizi-ATF

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

 Name and Office of Person  
 Furnishing Information on  
 THIS FORM

SCOTT N. SCHOOLS

☒ U.S. Att'y ☐ Other U.S. Agency

 Name of Asst. U.S. Att'y  
 (if assigned)

THOMAS M. O'CONNELL

UNITED STATES OF AMERICA

v.

SAUL MAXIAS NIETO

**ATTACHMENT TO PENALTY SHEET**

Count One: Title 21, United States Code, Sections 846 and 841(b)(1)(B)(viii) - Distribution of Methamphetamine

5 years imprisonment (mandatory minimum)

40 imprisonment (maximum)

\$2,000,000 Fine

4 years of supervised release

\$100 special assessment